REMARKS/ARGUMENTS

I.   Claims 1-18 are pending in this application. In the February 04, 2005 office action, the Examiner:

A.   Rejected Claims 1-18 under 35 USC 101 because the claimed invention purportedly is directed to non-statutory subject matter.

B.   Rejected Claims 1-13 and 15-18 under 35 U.S.C 102(b) as being anticipated by Newman et al. (hereinafter "Newman") USP 5,313,615.

C.   Rejected Claim 14 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,313,615 in view of U.S. Patent No. 5,325,526 by Cameron et al. (hereinafter Cameron).

A. The Claims Have Been Amended to Overcome the Examiner's 101 Rejection.

Claims 1,9 and 17 have been amended to overcome the examiner's 101 rejection. Claim 1 has been amended to make it clear that the apparatus for executing a block diagram is a controller, whether it be a PC, a workstation, a field panel in a building control system, a PLC or any type of equipment controller. Claim 9 has been amended in a similar fashion. Claim 17 has been amended to make it clear how the controller executes block programs to control devices. In light of the present amendments, the examiner is respectfully requested to withdraw the pending 101 rejection.

B.   The Rejection of Claims 1-13 and 15-18 in view of Newman is in Error

In the February 04, 2005 office action, the Examiner rejected claims 1-13 and 15-18 as being allegedly anticipated by Prasad. For the reason discussed below, it is respectfully submitted that claims 1-13 and 15-18 are allowable over the prior art.

1. The Present Invention

As discussed in the specification, the present invention generally relates to block programming, and more particularly to block programming in which the blocks in a program are selectively executed based on changes in the input values of the blocks. The present invention limits programming processing time by executing only those blocks having a changed input.

2. Newman

Newman generally relates to a method for ordering computer software procedures in an order in computing machine for modeling each of multiple blocks of a block diagram. Each block corresponds to a software feature for performing at least one function and has at least one input or at least one input.

3. Newman Does Not Disclose Only Executing Blocks in a Block Program that Receives a New Input Value which is Different from a Previous Input Value

Claims 1, 9 and 17 as presented essentially require only executing blocks in a block program that receives a new input value which is different from a previous input value. Reviewing column 3, lines 7-11, it is clear that Newman does not disclose at least this element. This section of Newman relates to prior art simulators not having the capacity of simulating systems with feedback because they inefficiently model and simulate blocks which have a delay property. The section cited by the examiner is pertinent to such a delay property. The

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reference goes on to say on line 15 "The principal of 'delay' comes from the fact that that the input values are not immediately required to process the function of the block in order to produce the detailed information." Accordingly, Newman actually teaches away from the present invention since in the present invention valuation of input blocks are required to determine which blocks are executed.

With respect to column 28, lines 48-51 of Newman, this section of Newman relates to the status of a blocklist and sequence list at each stage of sequencing procedure calls for the block diagram in Fig. 8. This section however does not teach or suggest only executing blocks in a block program that receives new input value which is different from a previous input value, as claims 1, 9 and 17 require, nor does it disclose setting a flag in block records when at least one input value of changes and executing algorithms of said blocks in said block program having corresponding block records that have said flag set.

4. <u>Claims 2-8,10-13,15,16 and 18</u>

Claims 2-8,10-13,15,16 and 18 also stand rejected as allegedly being anticipated by US Patent No. 5,313,615. Claims 2-8, 0-13,15,16 and 18 depend from and incorporate all of the limitations of claims 1,9 and 17. Accordingly, for at least the same reasons as those set forth above in connection with claims 1, 9 and 17 it is respectfully submitted that the rejection of claims 2-8,10-13,15,16 and 18 should be withdrawn.

<u>Cameron Fails to Cure the Deficiencies of Newman</u>

Claim 14 stands rejected as allegedly being unpatentable over Newman in view of Cameron. Claim 14 depends from and incorporates all of the limitations of claim 9. Like Newman, Cameron fails to disclose only executing blocks in a block program that receives a new input value with is different from a previous input value. Accordingly, for the same reason as set forth above in connection

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with claim 9, it is respectfully submitted that the rejection of claim 14 should be withdrawn.

Conclusion

For all the foregoing reasons, it is respectfully submitted the applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,

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